



6P 2823

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PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/813,304	
	Filing Date	March 21, 2001	
	First Named Inventor	Katsunori NISHII et al.	
	Group Art Unit	2823	
	Examiner Name	Fernando L. Toledo	
Total Number of Pages in This Submission		Attorney Docket Number	740819-529

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Other – Response to Restriction/Election Requirement <input checked="" type="checkbox"/> Submission of Substitute Drawings enclosing One (1) sheet with Figs. 23A and 23B (showing Prior Art)
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas W. Cole, Reg. No. 28,290 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22102
Signature	<i>Thomas W. Cole</i>
Date	January 23, 2003

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Docket No. 740819-529

Serial No. 09/813,304

Page 1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Katsunori NISHII et al.

Serial No. 09/813,304

Filed: March 21, 2001

For: SEMICONDUCTOR DEVICE AND  
METHOD OF FABRICATING THE  
SAME

Group Art Unit: 2823

Examiner: Fernando L. Toledo

Date: January 23, 2003

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AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Examiner's Office Action mailed October 23, 2002, please consider the following amendment and remarks in connection with the above-identified application.

**IN THE SPECIFICATION:**

Please substitute the title of the invention with the following new title of the invention:

-- SEMICONDUCTOR DEVICE HAVING AN ACTIVE REGION FORMED FROM  
GROUP III NITRIDE --

**REMARKS**

At the outset, the Examiner is thanked for the review and consideration of the present application. Additionally, Applicants respectfully request that the next Office Action to not be made final, as it would appear from a telephonic discussion with the Examiner and the mailing date of the Official Action that this was an application which the Examiner was required to move from his docket, and that the Examiner did so quickly by applying the provisional rejection. Further, in accordance with MPEP 706.07 and 37 C.F.R. 1.113, before final rejection is in order, a clear issue should be developed between the Examiner and Applicants. As noted above, this is clearly not the case.